

Jeff Edwards

From: Massenburg.Gwendolyn@epamail.epa.gov
Sent: Wednesday, March 24, 2010 11:56 AM
To: John Hart
Cc: Jeff Edwards
Subject: Hastings Eligibility Determinations

Dear City of Hastings Coalition:

I accept the City of Hastings Coalition determinations of eligibility based on the information you have provided to conduct a Phase I ESA using USEPA Brownfields Hazardous Assessment funds from CA# BF00E95401-0 at the following properties:

1111 West Green Street, Rutland Township, Michigan; and
Former Felphausch Store Property, Hastings, Michigan (parcel addresses:
127 S. Michigan Ave., 300 S. Michigan Ave., 225 E. Green St., and 234 E. State St.).

If there are any changes, please update the eligibility determinations after the Phase I ESAs are completed. As a gentle reminder, do not forget to enter the Phase I assessment findings into the ACRES database. I'll need to see a site-specific Health and Safety Plan and approve the site-specific Sampling and Analysis Plan prior to conducting any Phase II ESAs or building sampling.

NOTE: The shelf-life of a Phase I ESA for the purpose of an AAI is 180-days. If the purpose of this area-wide Phase I is for acquisition, please keep the 180-days in mind.

Please contact me if anything changes, or if you have any questions.

Sincerely,

Gwendolyn S. Massenburg
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SITE ELIGIBILITY DETERMINATION
Hastings Coalition
USEPA Brownfields Hazardous Assessment Grant

Former Felpausch Store Property
Hastings, Michigan

The City of Hastings (the City) has determined the above referenced site (the Property) is eligible for funding from the USEPA Brownfields Hazardous Substances Assessment Grant.

1. Site specific information:
 - a. The Property consists of four contiguous parcels located at 127 S. Michigan Avenue, 300 S. Michigan Avenue, 225 E. Green Street, and 234 E. State Street, in the city of Hastings, Barry County, Michigan.
 - b. The Property parcels comprise approximately 5.2 acres. The parcel at 127 S. Michigan Avenue is developed with a commercial building.
 - c. A former automotive service station is situated directly adjacent to the Property. The potential exists for environmental impact from migration of hazardous substances associated with the previous vehicle repair operations on the adjacent site.
2. The City is not applying for a waiver of the \$200,000 per site funding limit.
3. At this time the Property is not:
 - a. Listed or proposed for listing on the National Priorities List;
 - b. Subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and
 - c. Subject to the jurisdiction, custody, or control of the United States government.
4. At this time the Property is not subject to any of the following:
 - a. A CERCLA planned or ongoing removal action;
 - b. A unilateral administrative order, court order, an administrative order on consent or a judicial consent decree that has been issued to or entered into by the parties, or a facility to which a permit has been issued by the U.S. or a State under the Solid Waste Disposal Act (SWDA), the Federal Water Pollution Control Act, the Toxic Substance Control Act (TSCA), or the Safe Drinking Water Act (SDWA);
 - c. A corrective action under the SWDA with a corrective action permit or order that has been issued or modified to require the implementation of corrective measures;

- d. A land disposal unit with respect to which a closure notification under subtitle C of the SWDA has been submitted and closure requirements have been specified in the closure plan or permit;
 - e. A portion of a facility at which there has been a reported/confirmed release of polychlorinated biphenyls (PCBs) and that is subject to remediation under TSCA; or
 - f. A portion of a facility, for which portion, assistance for response activity has been obtained under subtitle I of the SWDA from the Leaking Underground Storage Tank Trust Fund established under section 9508 of the IRS Code of 1986.
5. The City has determined the Property is eligible for assessment and intends to complete a Phase I ESA in accordance with the requirements of All Appropriate Inquiries (AAI). If recognized environmental conditions (RECs) are identified, the City will complete a Phase II ESA. Depending on the Phase II ESA findings, the City may conduct cleanup planning by preparing a Due Care Plan and Brownfield Plan.
6. The City is not potentially liable for contamination at the Property under CERCLA, and has not arranged for the disposal of hazardous substances; the City has not arranged for the treatment or disposal of hazardous substances, and has not accepted hazardous substances for transport to disposal or treatment facilities at the site.
7. Site ownership information:
- a. The Property parcels are currently owned by Felpausch G & R Company (127 S. Michigan, 225 E. Green Street) and Associates Realty (234 E. State Street, 300 S. Michigan).
 - b. Historical operations on the site included a grocery store; other historical uses are not known at this time.
8. At this time, it is not known if the Property is contaminated.
9. There are no known or anticipated environmental enforcement actions pertaining to the Property and there are no inquiries or orders from federal, state, or local government entities that the applicant is aware of regarding the responsibility of any party for contamination or hazardous waste at the site.
10. The City does not own the Property and is working with a development team to redevelop the site; the City is facilitating this effort by supporting environmental site assessments; the Property owners have granted the City permission to access the Property.
11. The site is not known to be impacted with petroleum products.